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MEMORANDUM ENDORSED

February 27, 2024

VIA ECF

Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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Re: *United States v. Rodriguez Tapia*, 22 Cr. 532 (GHW)

Dear Judge Woods:

I, along with Akane Fujiwara, Esq., am counsel to Nerlyn Luis Baque Villafuerte in the above-entitled matter and I write this joint request on behalf of my client and on behalf of counsel James Roth, attorney for codefendant Daniel Elias Rosado Rendon. The defense respectfully requests that the Court order the Hudson County Correctional Center ("Hudson Jail") to provide inmates Baque Villafuerte and Rosado Rendon an expansion of their weekly allotment of law library access from the current limit of 40 minutes per week to a minimum of five hours per week.

As an initial matter, we have reached out to the government to attempt to resolve this issue. Despite best efforts by the government, inmates Baque Villafuerte and Rosado Rendon continue to be permitted, at most, 40 minutes of access to the law library each week to review their discovery.

The government has provided approximately 1 terabyte of discovery in this case. The government has provided this discovery via external hard drive to Hudson Jail and Hudson Jail has made this drive available to the listed defendants in the facility's law library. The discovery drive contains 5 individual productions and includes, but is not limited to, electronic device extractions, extradition documents, warrant materials and returns, DEA documents, recorded meetings, text exchanges, and transcripts of said meetings and communications. The voluminous discovery will require a substantial amount of time to review and digest.

Under current restrictions to inmates Baque Villafuerte and Rosado Rendon's access to their discovery, significant portions of our meetings with our clients at Hudson Jail have been devoted to merely reviewing the discovery. An order directing Hudson Jail to permit inmates Baque Villafuerte and Rosado Rendon access to the law library for a minimum of five hours each week to review their discovery should permit our clients to have sufficient time to adequately review their discovery and it should allow for counsels' meetings with our clients to be more productive moving forward.

Accordingly, I respectfully request that Your Honor endorse the accompanying proposed order directing Hudson Jail to permit inmates Baque Villafuerte and Rosado Rendo a minimum of five hours of law library access per week.

Thank you for your consideration of this request.

Respectfully submitted,

Ken Womble


Ken Womble
Counsel for Mr. Baque Villafuerte

Application denied without prejudice. It would not be appropriate for the Court to order the Hudson Jail to modify its procedures on the basis of an unsworn letter by defense counsel alone; a more complete record is required. Among other things, the Court is unaware of how such an order would interfere with the operations of, and safety at, the facility. The Court requests that counsel for the defendant meet and confer with counsel for the United States--who, the Court expects, will confer with counsel for the facility--and write the Court jointly with a proposed process to litigate any remaining disputed issues.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 73.

SO ORDERED.

Dated: February 28, 2024
New York, New York



GREGORY H. WOODS
United States District Judge